

REMARKS

Applicant respectfully requests reconsideration in view of the amendment and following remarks. The applicant has incorporated claim 2 into claim 1. The applicant has cancelled the non-elected claims.

Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Giacobbe et al., US 5,641,848 ("Giacobbe"). The applicant respectfully traverses this rejection.

In relation to cast film versus blown film usually this process makes a technical difference in that the blowing of the bubble imparts a certain orientation to the film material. So structurally the cast film is unoriented film whereas blown film usually is an orientated film which is oriented to at least some degree.

The applicant's invention is a cast film composition that can be used as a label film (see paragraph no. [0001] of the published specification U.S. Publication 2007/0059545). The applicant's invention now more clearly defines the label film by adding a more precise definition for the high crystallinity of the homopolymer component by incorporating the features of claim 2 into claim 1. Thereby the applicant defines that the high crystallinity polypropylene has a stereoregularity of 94 to 99%. There is no such polymer with a stereoregularity of at least 94% suggested by Giacobbe. For this reason alone this rejection should be withdrawn.

Moreover there is no indication as to why the film in accordance with Giacobbe should be specifically useful as a label film. The reference is absolutely silent in relation to any use of this polymer film. Therefore there is nothing disclosed wherefrom a person of ordinary skill in the art could derive that the combination of the heterophasic polymer with a propylene homopolymer of high stereoregularity makes a label which can be handled in a cut and stack process very well, which has low curl and good adhesion properties. These are all requirements which are specifically needed for label films, but none of these problems needs to be addressed

when a film is used in a packaging process. Therefore, Giacobbe does not render obvious to combine the heterophasic polymer with a specific homopolymer of high stereoregularity of at least 94% in order to improve the properties of the film required when used as a label. For the above reasons, this rejection should be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

A one month extension fee has been paid. Applicant believes no additional fee is due with this response. It is noted that Monday January 19, 2009 was a Federal holiday (Martin Luther King day). However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 05581-00145-US from which the undersigned is authorized to draw.

Dated: January 20, 2009

Respectfully submitted,

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